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Attorneys for Defendant F.P. Holdings, L.P.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL MORTON, an individual; THE
CANAL GROUP, INC. an Illinois corporation,

Plaintiff,

v.

N-M VENTURES, LLC, a Nevada limited
liability company; N-M VENTURES II,
LLC, a Nevada limited liability company;
F.P. HOLDINGS, L.P., a Nevada limited
partnership,

Defendants.

Case No.: 2:13-cv-00702-GMN-GWF

**STIPULATION AND
ORDER TO DISMISS ACTION WITH
PREJUDICE**

WHEREAS on April 24, 2013, Plaintiffs commenced this action by filing a Complaint in this court (*docket no. 1*);

WHEREAS on April 29, 2013, Plaintiffs filed an Amended Complaint (*docket no. 6*);

WHEREAS on May 3, 2013, Plaintiffs served F.P. Holdings, L.P., N-M Ventures, LLC and N-M Ventures II, LLC;

WHEREAS, Plaintiffs voluntarily dismissed Defendants Nine Group, LLC and Nine Group II, LLC without prejudice on June 13, 2013 (*docket no. 20*);

WHEREAS, the parties previously stipulated to extend the time for F.P. Holdings, L.P., N-M Ventures, LLC and N-M Ventures II, LLC to respond to the Amended Complaint until November 13, 2013 (*docket no. 31*);


WHEREAS, the Court previously tentatively granted Intervenor the Estate of Scott

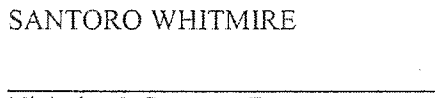
DeGraff leave to file an amended complaint-in-intervention on behalf of the Estate of Scott DeGraff (*docket no. 21*);

WHEREAS, N-M Ventures, LLC and N-M Ventures II, LLC have not appeared in the case;

WHEREAS, all parties who have appeared in this case are included within this dispositive Stipulation and [Proposed] Order as required by LR 6-2 and 7-1;

NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND AMONG THE PARTIES HERETO AND THEIR COUNSEL OF RECORD that (a) the action is hereby dismissed in its entirety with prejudice; and (b) each party shall bear its own attorney fees and costs.

GREENBERG TRAURIG, LLC

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 Tyler Andrews, Esq.
 Mark E. Ferrario, Esq.
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VARRICCHIO LAW FIRM

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Attorneys for Proposed Intervenor, Estate of Scott DeGraff

* * * * *

IT IS SO ORDERED:


 The Honorable Gloria M. Navarro
 United States District Judge

Dated: October 31, 2013

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(702) 948-8771 - fax (702) 948-8773

1 DeGraff leave to file an amended complaint-in-intervention on behalf of the Estate of Scott
2 DeGraff (*docket no. 21*);

3 WHEREAS, N-M Ventures, LLC and N-M Ventures II, LLC have not appeared in the
4 case;


5 WHEREAS, all parties who have appeared in this case are included within this
6 dispositive Stipulation and [Proposed] Order as required by LR 6-2 and 7-1;

7 NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND AMONG THE
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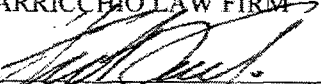
11 GREENBERG TRAURIG, LLC

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21 *Attorneys for Proposed Intervenor, Estate of Scott DeGraff*

* * * * *

23 IT IS SO ORDERED:

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25 The Honorable Gloria M. Navarro
26 United States District Judge

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